

KENTUCKY DEPARTMENT OF EDUCATION

STAFF NOTE

Action/Discussion Item:

703 KAR 5:240, Accountability Definitions and Procedures (Final)

Applicable Statute or Regulation:

KRS 158.6453 and KRS 158.6451

Action Question:

Should the Kentucky Board of Education (KBE) give final approval to 703 KAR 5:240 outlining administrative guidance and reporting processes for the new accountability system?

History/Background:

Existing Policy. Senate Bill 1 (SB1), passed by the 2009 Kentucky General Assembly, established multiple assessment requirements and charged the Kentucky Board of Education (KBE) to create the new accountability system to classify districts and schools. With the guidance and approval of the KBE, the new accountability model, Unbridled Learning: College- and Career-Ready for All, offers a balanced approach organized around the KBE's four strategic priorities of next-generation learners, professionals, support systems and schools/districts.

Next-Generation Learners, the first component of Kentucky's new accountability model, begins in 2011-2012. The implementation of Next-Generation Learners requires that the Kentucky Department of Education have new procedures that govern how school and student data are reported in the new accountability model and guidance on student participation in testing.

This new regulation provides guidance on the following topics:

- definitions of schools for accountability purposes;
- assigning students for school, district and state accountability;
- inclusion of schools in accountability;
- standard grade configurations for reporting;
- reporting of schools with changed school service areas;
- data review and appeal of accountability classifications;
- student participation and non-participation in state-required tests; and
- school participation in the National Assessment of Educational Progress (NAEP) testing.

The board reviewed this regulation at its October 2011 meeting and it is now coming back for consideration of final approval. Since October, feedback has helped simplify the language and add clarifications. Several subsections have been moved to improve the organization of the regulations. Changes appear in the regulation in bold with new language underlined and deleted

language shown with a strikethrough. A summary of proposed changes are described below by section.

- Title: Replaced Next-Generation Learners with Accountability. The more general term, “accountability” better reflects that definitions and procedures outlined in the regulation may be used with data from the Unbridled Learning: College- and Career-Ready for All system.
- Section 1: Deleted “head teacher” from school definition and refer to 704 KAR 19:001 for the definition of alternative programs; existing definition language is removed.
- Section 2: Clarified when students enrolled in an A1 school, alternative program, or both are included in the A1 school and district accountability calculations.
- Section 3: Edited language, no change was made in the regulation’s intent.
- Section 4: Clarified that public reports for alternative programs are based on tested students.
- Section 5: No changes were made.
- Section 6: Simplified the calculation to determine if a population is stable for reporting trend data. The number of students in the stable population is divided by the total number of students in the grades included in the accountability calculations.
- Section 7: Clarified that an appeal of a final accountability classification can be submitted within 45 days after official release of the classification, not just after the public release. Moved original subsections 5 and 6 to subsection 2. Deleted unnecessary language in original subsection 3.
- Section 8: Clarified that students in grades 3-12 shall be assigned to a single grade level for assessment and accountability purposes. Moved original Section 10(3) to Section 8(5). Moved original Section 9, subsection 5 to Section 8, subsection 6 and deleted reference to participation rate.
- Section 9: Moved original subsection 5 to Section 8, subsection 6. Moved original Section 10, subsection 1 to Section 9, subsection 8. Other minor language edits did not change the intent of regulation.
- Section 10: Deleted Section. The original subsections 1 and 3 were moved to more appropriate Sections 9 and 8 respectively. Subsection 2 is language from the previous accountability system and is no longer needed.
- Section 11: Renumbered Section 10. No change was made to the content.

Staff Recommendation(s) and Rationale:

Staff recommends that the KBE give final approval to 703 KAR 5:240. This regulation provides new procedures that govern how school and student data are reported in the new accountability model and guidance on student participation in testing that are necessary for implementation of the new assessment and accountability system.

Impact on Getting to Proficiency:

The new accountability system will establish how schools/districts are held responsible for assuring Kentucky's students are proficient and prepared for success. The Accountability Definitions and Procedures regulation provides administration guidance to ensure consistent testing and reporting for Kentucky's new accountability system.

Groups Consulted and Brief Summary of Responses:

The School Curriculum, Assessment and Accountability Council (SCAAC) will reviewed the proposed regulation at its November meeting. The District Assessment Coordinators Advisory Group and other stakeholder groups will be discussing the proposed revisions. Additionally, the Local Superintendents Advisory Council will provide feedback to the board prior to the December meeting. Feedback has also been sought from the Office of Education Accountability (OEA). All feedback will be shared at the December board meeting.

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Commissioner of Education

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